



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

January 7, 2011

Mr. John Witmer
Federal Transit Administration
Jackson Federal Building, Suite 3142
915 2nd Avenue
Seattle, Washington 98174

Re: East Link Project Supplemental Draft Environmental Impact Statement,
EPA Region 10 Project Number 06-052-FTA (CEQ Number 20100442).

Dear Mr. Witmer:

The U.S. Environmental Protection Agency (EPA) has reviewed the East Link Project Supplemental Draft Environmental Impact Statement (SDEIS). We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. We appreciate this opportunity to participate.

The East Link Project is proposed by Sound Transit to construct and operate an extension of its electric light rail transit system between Seattle, Mercer Island, and the east side of Lake Washington to Bellevue and Redmond in King County, Washington. The East Link Draft EIS, which was issued in 2008, did not identify a preferred alternative. The East Link Light Rail Project Supplemental Draft EIS evaluates new alternatives and design modifications that would result in an increase in impacts beyond those evaluated in the 2008 Draft EIS or in major changes in impacts and/or benefits from those analyzed in the Draft EIS. The preferred alternative for the Final EIS, which was identified by the Sound Transit Board in July 2010, is also identified in the SDEIS.

Based on the information provided in the SDEIS, EPA has no substantial environmental concerns regarding the new alternatives and design modifications for the East Link project. We are rating the SDEIS as LO, Lack of Objections, and have enclosed an explanation of this EPA rating for NEPA documents. There are, however, a number of issues that would benefit from more information and/or clarification in the SDEIS.

A primary issue yet to be resolved concerns the alignment in Segment B – whether to choose the BNSF Railway corridor or an alternative along Bellevue Way. Sound Transit Board's preferred Alternative B2M follows Bellevue Way along the west edge of Mercer Slough. The City of Bellevue prefers the BNSF Alternative B7, which crosses the southern portion of Mercer Slough from west to east and north of I-90 to follow the BNSF Right-of-Way north to Segment C. While many of the concerns identified within this Segment are neighborhood specific, several would have potential impacts of broader significance to the local

and regional environment, transportation, and land use as per the goals of VISION 2040. Our comments and recommendations below focus on these aspects of the project.

The SDEIS predicts 2030 ridership of 4,500 to 5,500 for B2M alternatives, but only 1,500 for the BNSF B7 alternative. Yet the prediction for total East Link ridership using B2M alternatives is 49,000 to 51,500 and 48,000 for the BNSF B7 alternative (Table 3-1, p. 3-10). Sound Transit would like to maximize ridership and cost effectiveness, while City of Bellevue would like to minimize neighborhood, business, and land use impacts, and traffic congestion. In general, resource agency missions would be upheld by avoiding and minimizing environmental impacts and by supporting the environmental goals, policies, and urban centers-based land use strategy of VISION 2040.

Recommendations: To reconcile these issues, it may be helpful to better inform decision making by providing the following information in the Final EIS:

- Explain why the total prediction for East Link ridership using B2M vs. B7 alternatives may differ by only 1,000 riders when B Segment predictions for B2M and B7 differ by 4,000 riders.
- Discuss how the BNSF B7 and the Bellevue Way alternatives would potentially affect land use and whether or not planned land uses would be supported.
- Clarify whether or not there would be adequate room within the BNSF corridor for the light rail line, a commuter rail line, and a bicycle/pedestrian trail, or whether it would be necessary to eliminate the potential commuter rail line or the potential trail to accommodate the light rail line.
- If light rail, commuter rail, and a trail could be accommodated within the BNSF Right-of-Way, analyze and disclose how constructing all three in a compatible manner could affect ridership and land use, and compare it to results for the Bellevue Way alternatives.
- Discuss whether or not it is feasible to develop an engineered solution to the unplanned movement of peat and clay substrate within the Mercer Slough.
- In addition to the acreages of permanent and temporary wetland and wetland buffer impacts, describe the wetland functions and values that would be permanently or temporarily lost for the B Segment alternatives. Include the full array of functions and values, including but not necessarily limited to, hydrology, water quality, fish and wildlife, flood control, water and land based recreation, and effects upon the use of the Mercer Slough Environmental Education Center. For temporary impacts include the duration (years) of impact and the anticipated time required for restoration of functions and values. Please note that if a different preferred alternative for Segment B is identified in the Final EIS, it will be important to state the reasons for selecting an alternative of higher impact to wetlands.

Thank you for the opportunity to comment on the East Link Project SDEIS. We look forward to outcomes in the Final EIS and Record of Decision. If you have questions or would like to discuss our comments, please contact Elaine Somers of my staff at (206) 553-2966 or by electronic mail at somers.elaine@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Christine B. Reichgott". The signature is fluid and cursive, with the first name "Christine" and last name "Reichgott" clearly legible.

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.